



MEMORANDUM

Alternate
Agenda Item No. 11(A)(1)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners


DATE: September 18, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the County
Mayor to not provide pre-paid return
envelopes for absentee ballots

This alternate differs from the original item in that it directs the Elections Department to not provide postage pre-paid return envelopes with absentee ballots.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

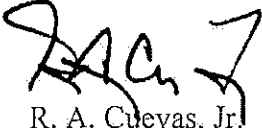


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Alternate
Agenda Item No. 11(A)(1)
9-18-12

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO NOT PROVIDE PRE-
PAID RETURN ENVELOPES FOR ABSENTEE BALLOTS

~~[[WHEREAS, Miami-Dade County recently has experienced examples of alleged
absentee ballot fraud; and~~

~~WHEREAS, absentee ballot fraud is typically associated with ballot brokers who seek to
influence absentee voters by, among other methods, offering to pay the cost of postage for the
return of absentee ballots to the Supervisor of Elections; and]]¹~~

WHEREAS, providing postage pre-paid return envelopes for absentee ballots will
>>not<< decrease the ability of ballot brokers to illegally influence voters in Miami-Dade
County; and

~~[[WHEREAS, the right to vote is a fundamental right in a democracy and should not be
impeded by the payment of any costs such as postage; and]]~~

WHEREAS, the cost for providing pre-paid return envelopes ~~[[would not exceed one
hundred and seventy thousand dollars (\$170,000) in any county wide election]]~~>>is not justified
by any public benefit<<,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that[[:

¹ The Differences between the alternate and the original item are indicated as follows: Words
stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double
arrowed<< are added.

~~Section 1.~~—~~I]]>>i<<t~~ shall be the policy of this Board to >>not<< provide postage pre-paid return envelopes for all absentee ballots sent out by the Supervisor of Elections. The County Mayor or County Mayor's designee is hereby directed to >>not<< provide postage pre-paid return envelopes for domestic absentee voters in all elections in Miami-Dade County commencing with the November 6, 2012 general election.

~~[[Section 2. In the event that there are insufficient funds in the budget for the Department of Elections, the County Mayor or County Mayor's designee is directed to provide the necessary funding to the Department of Elections for all costs of providing pre-paid return envelopes for domestic absentee ballots through the mid-year budget amendment.]]~~

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

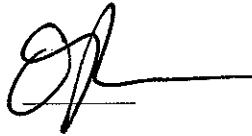
The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of September, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Oren Rosenthal